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clearness and accuracy, but he made no attempt to show that there was a law of torts. The first effective attempt of that sort was made by Sir Frederick Pollock a decade later. The present edition opens, however, with a full and lucid discussion of the principles underlying the English law of torts, and a statement of their application to the different classes of torts. Still, he does not essay the task of formulating a definition of tort which shall be complete in itself. Such a task, he declares, is hopeless. "Indeed no definition," to quote his language, "helped out however much by explanation, can convey an adequate notion of the meaning of the word; nothing short of careful study of the specific torts of the law will answer, for there is no such thing as a typical tort, an actual tort, that is to say, which contains all the elements entering into the rest. But they all have this in common, that there must be a breach of duty paramount, or, as we shall now put it, established by municipal law; and they all lead to an action for damages." Dealing with the subject in this practical, English-lawyer-like way, he does not fall into the error of declaring that a tort is a violation of a right *in rem* only, or that one can always avoid committing a tort by forbearing to act.

Perhaps in no respect is the superiority of the present edition over its predecessors more marked than in its notes. Not only do they contain more references, but the citations are from a wider field than formerly, and are brought down to the latest possible date. This is notable, especially, in the chapters on Maliciously Procuring Refusal to Contract, and on Procuring Breach of Contract.

MAY ON INSURANCE. Fourth Edition. By John M. Gould. Boston: Little, Brown & Co. 1900. pp. Vol. I, xciv, 1-711. vol. II, 712-1510.

Extended criticism of a work first published in 1873 and now appearing in a fourth edition is obviously uncalled for. The only suggestion which we have to offer, with reference to the revision, ought to be equally obvious, though, unfortunately for student and practitioner alike, it seems not always to be apparent to the writers and publishers of legal text books.

It is far too often the case that author or reviser, as the case may be, regards his task as one of compilation only, and deems it complete when he has digested some thousands of decided cases and arranged his digests in more or less connected narrative form.

The comparison and analysis of decisions with reference to fundamental principles is hastily or imperfectly done, or, perhaps, what is preferable in such case, not done at all.

In dealing with a subject which is undergoing rapid development, the reviser, quite as much as the author, requires some ingredient other than citations and digests of decisions in order to compound a scientific treatise on the law. Of no branch of the law can this be said with greater truth than of the law of Insurance, and few books could offer a more satisfactory basis for a revision which should discuss with skill and learning recent development in the law, than Mr. May's well-known work.

The reviser in this instance would have done a more creditable work and one more consistent with the high standard set by the earlier editions had he devoted his attention to the intelligent and systematic discussion of the principles of the law, newly developed or to which a new application has been given in the past ten years, instead of limiting himself, as he has, to the mechanical work of collecting and digesting decisions.

The title page introduces the present edition as being "revised, analyzed and greatly enlarged," and the reviser's preface informs us that many new topics not before referred to in this index have been discussed. "These new topics include standard policies, incontestable clauses, proofs of death and of loss, addition to buildings, adjacent buildings, removal of goods, duty of the insured to read his policy, etc."

Careful examination discloses the fact, that, making due allowance for condensation of portions of the Third Edition, the reviser has added approximately seventy pages of new matter, of which not exceeding sixteen pages are devoted to the important topics which he enumerates. The new matter is collected in foot notes, and is composed wholly of citations and digests of decisions. The reader may search in vain for any comprehensive discussion of these new topics or of the old, in the material thus added. The use of the book has been facilitated by enlarging the index but in all other particulars, the style and arrangement of earlier editions remains unchanged. In short the reviser has dealt in the usual manner with a book which is quite unusual and deserving of better treatment.

While the result is somewhat disappointing to one familiar with the earlier editions, it is only fair to say that the work attempted to be done has been done with painstaking and thoroughness. In all, some three thousand cases have been added. In many instances the decisions have been given, sometimes accompanied with extracts from the opinions. Mr. Gould's labors will save many a wearying journey in search for authorities, and the value of a case when cited may generally be determined without appealing from the text to the reported case.

In fact, it may be said that the usefulness of the work which was becoming somewhat impaired by lapse of time has been fully revived in the present edition. We wish its usefulness might have been extended in a manner commensurate with the opportunity afforded by the development of the law and the absence in the field of really satisfactory works on the subject.

Reviews to follow:

THE POLICE POWER OF THE STATE AND DECISIONS THEREON AS ILLUSTRATING THE DEVELOPMENT AND VALUE OF CASE LAW. By Alfred Russell, of the Detroit Bar. Chicago: Callaghan & Co. 1900. pp. xvii, 204.

CLERK'S ASSISTANT. By Austin Abbott, LL.D. Revised Edition. By Clarence F. Birdseye. New York: Baker, Voorhis & Co. 1900. pp. x, 1091.